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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/706,470

11/12/2003

Krishnakumar Srinivasan

03001/1040

8077

35856

7590

01/29/2008

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EXAMINER

GREGG, MARY M

ART UNIT

PAPER NUMBER

4124

MAIL DATE

DELIVERY MODE

01/29/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/706,470	Applicant(s) SRINIVASAN ET AL.	
	Examiner MARY M. GREGG	Art Unit 4124	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08/19/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/12/2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

MMG

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference in FIG. 4's character "414" has been used to designate both "Issue Bill for Recovery Account" and "Determine Minimum Payment". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Interpretation

2. In claims 17-24, and 30-31 the recitations: means for creating a recovery credit account; means for setting an opening balance; means for setting a credit limit; means for issuing a credit token; means for issuing a bill to the customer; means for charging an over limit fee; means for issuing a bill; means for establishing an automatic payment service; means for setting an open-to-buy amount; and means for prohibiting credit activity, have been presumed to invoke 35 U.S.C. 112, sixth paragraph, since they meet the 3-prong analysis as explained in MPEP 2181. In accordance with 35 U.S.C. 112, sixth paragraph, a claim limitation expressed in means-plus-function language "shall be construed to cover the corresponding structure...described in

the specification and equivalents thereof.” In the instant case, the recited means are part of the applications module (530) described in paragraph [0040] and Figure. 5 as being “application programs”. Thus each of the aforementioned "means" have been interpreted as being an application program.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 17-24 and 30-31 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

These claims are directed to “functional descriptive material” in the form of computer programs which impart functionality when employed as a computer component. The claims do not include a computer-readable medium, but rather are directed to the computer program per se (application programs as explained above). Computer programs claimed as computer listings per se, i.e., the descriptions or expressions of the programs, are not physical “things.” They are neither computer components nor statutory processes, as they are not “acts” being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program’s functionality to be realized. In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which

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permit the computer program's functionality to be realized, and is thus statutory (see MPEP 2106.01).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4, 6, 9-12, 14, 17-20, 22 and 25-31 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pub No. 2002/0123962 A1 by Bryman et al. (Bryman).

In reference to Claim 1:

A method of recovering debt from a customer with a charged-off credit account balance, comprising: creating a recovery credit account (new account) for the customer with the charged-off credit account balance ((para) 0018 lines 19-20, 24-28); and setting an opening balance (sum of pre-existing charge off debt (herein referred to as record 1) and credit line account (herein referred to as record 2)) of the recovery credit account to a value equal to at least a portion of the charged-off credit account balance amount and wherein the opening balance represents the entire debt obligation (record 1 plus record 2) of the customer related to the charged-off credit balance ((para) 0031 lines 6-10, (para) 0038 lines 7-10, (para) 0039 lines 12-15).

In reference to Claim 2:

The method of claim 1 (see rejection of claim 1 above), further comprising setting a credit limit for the recovery credit account that is less than the opening balance of the recovery credit account and wherein the recovery credit account is not open-to-buy until the recovery

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credit account balance is less than the credit limit ((para) 0011 lines 7-9, 0046 lines 5-12, 17-20; FIG. 3, ref # 250, FIG. 4).

In reference to Claim 3:

The method of claim 2 (see rejection of claim 2 above), further comprising issuing a credit token (reaffirmation credit card) corresponding to the recovery credit account (new account) only after the recovery credit account balance is less than the credit limit, the credit token enabling access to an available balance of the recovery credit account ((para) 0011 lines 4-6, (para) 0046 lines 1-4, 17-20)

Note: Applicant in written description on page 14 paragraph 0035 disclosed "a debt recovery credit card (or other credit access token)", which supports the correlation between a credit card and a "credit token".

In reference to Claim 4:

The method of claim 2 (see rejection of claim 2 above), further comprising issuing a bill to the customer for the recovery credit account (new account) wherein the bill includes a payment amount that reduces the recovery account balance to less than the credit limit ((para) 0047 lines 7-25).

In reference to Claim 6:

The method of claim 1 (see rejection of claim 1 above), further comprising issuing a bill to the customer for the recovery credit account wherein the bill includes a suggested payment ((para) 0047 lines 15-20)

In reference to Claim 9:

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A computer comprising a memory for storing program instructions and a processor, responsive to the programming instructions, configured to: create a recovery credit account (new account) for a customer with a charged-off credit account balance ((para) 0035, lines 3-5, 10-15); and set an opening balance of the recovery credit account to a value equal to at least a portion of the charged-off credit account balance (FIG. 4) and wherein the opening balance represents the entire debt obligation of the customer (record 1 + record 2) related to the charged-off credit balance ((para) 0037, lines 1-3, (para) 0039, lines 7-15).

In reference to Claim 10:

The computer of claim 9 (see rejection of claim 9 above), further configured to set a credit limit (via credit line account record) for the recovery credit account that is less than the opening balance ((para) 0011 lines 7-10, (para) 0046 lines 11-12) of the recovery credit account and wherein the recovery credit account is not open-to-buy until the recovery credit account balance is less than the credit limit (FIG. 3, FIG 2; (para) 0034 lines 5-11, (para) 0037 lines 10-14, (para) 0038 lines 7-10).

In reference to Claim 11:

The computer of claim 10 (see rejection of claim 10 above), further configured to issue a credit token (via reaffirmation credit card) corresponding to the recovery credit account only after the recovery credit account balance is less than the credit limit ((para) 0011 lines 7-10, (para) 0046 lines 11-12), the credit token enabling access to an available balance of the recovery credit account ((para) 0011 lines 4-6, (para) 0038 lines 7-10, (para) 0039 lines 5-20)

In reference to Claim 12:

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The computer of claim 10 (see rejection of claim 10 above), further configured to issue a bill to the customer for the recovery credit account wherein the bill includes a payment amount that reduces the recovery account balance to less than the credit limit ((para) 0033 lines 3-8, (para) 0039 lines 15-22)

In reference to Claim 14:

The computer of claim 9 (see rejection of claim 9 above), further configured to issue a bill to the customer for the recovery credit account wherein the bill includes a suggested payment ((para) 0039 lines 7-10, (para) 0048 lines 11-20).

In reference to Claim 17:

A system comprising: means for creating a recovery credit account (new account) for a customer with a charged-off credit account balance (FIG. 4 ref # 304) ((para) 0031 lines 3-4, (para) 0033 lines 3-7, (para) 0039 lines 11-14); and means for setting an opening balance of the recovery credit account to a value equal to at least a portion of the charged-off credit account balance and wherein the opening balance represents the entire debt obligation of the customer related to the charged-off credit balance (FIG. 2, FIG 3; (para) 0036 lines 3-5, 8-10, (para) 0038 lines 7-10, (para) 0039 lines 2-4, 12-15, (para) 0044 lines 14-16)

In reference to Claim 18:

The system of claim 17 (see rejection of claim 17 above), further comprising means for setting a credit limit (FIG. 3) for the recovery credit account that is less than the opening balance of the recovery credit account and wherein the recovery credit account is not open-to-buy until the recovery credit account balance is less than the credit limit ((para) 0011 lines 7-10, (para) 0042 lines 2-9, (para) 0046 lines 1-12, 17-20).

In reference to Claim 19:

The system of claim 18 (see rejection of claim 18 above), further comprising means for issuing a credit token (reaffirmation credit card) corresponding to the recovery credit account only after the recovery credit account balance is less than the credit limit, the credit token enabling access to an available balance of the recovery credit account ((para) 0011 lines 7-10, (para) 0046 lines 1-5).

In reference to Claim 20:

The system of claim 18 (see rejection of claim 18 above), further comprising means for issuing a bill to the customer for the recovery credit account (new account) wherein the bill includes a payment amount that reduces the recovery account balance to less than the credit limit ((para) 0047 lines 5-9, 13-20, 22-26).

In reference to Claim 22:

The system of claim 17 (see rejection of claim 17 above), further comprising means for issuing a bill to the customer for the recovery credit account wherein the bill includes a suggested payment ((para) 0039 lines 7-10, (para) 0048 lines 11-20).

In reference to Claim 25:

(newly added) A method of collecting credit card debt, the method comprising: creating a recovery credit account (new account) for a customer based on a charged-off credit account balance (record 1 + record 2) ((para) 0046 lines 2-5); and prohibiting credit activity on the recovery credit account until the customer pays an open-to-buy amount ((para) 0011 lines 7-10, (para) 0046 lines 10-20)

In reference to Claim 26:

(newly added) A method of collecting credit card debt, the method comprising: creating a recovery credit account (new account) for a customer based on a charged-off credit account balance (FIG. 3, FIG. 4); and setting an open-to-buy amount for the recovery credit account (FIG. 3, FIG. 4; (para) 0046 lines 2-10).

In reference to Claim 27:

(newly added) The method of claim 26 (see rejection of claim 26 above), further comprising issuing a credit token (reaffirmation credit card) when the open-to-buy amount (FIG. 3) is paid by the customer ((para) 0046 lines 1-4, 17-20)

Note: Applicant in written description on page 14 paragraph 0035 disclosed "a debt recovery credit card (or other credit access token)", which supports the correlation between a credit card and a "credit token".

In reference to Claim 28:

(newly added) A recovery credit account (new account) for a customer embodied in a computer system, the recovery credit account for the customer comprising: a charged-off credit account balance (FIG. 4) for a customer ((para) 0039 lines 1-9, (para) 0041 lines 4-11); and an open-to-buy amount that specifies a threshold amount of the charged-off credit account balance to be paid by the customer before credit activity will be enabled on the recovery credit ((para) 0046 lines 5-10)

In reference to Claim 29:

(newly added) A computer for managing debt, the computer comprising: logic configured to create a recovery credit account (new account) for a customer based on a charged-off credit account balance ((para) 0042 lines 7-11); and logic configured to prohibit

credit activity (FIG. 3) on the recovery credit account until the customer pays an open-to-buy amount ((para) 0046 lines 10-20; FIG. 2).

In reference to Claim 30:

(newly added) A debt management system comprising: means for creating a recovery credit account (new account) for a customer based on a charged-off credit account balance (FIG. 4) ((para) 0041 lines 3-5); and means for setting an open-to-buy amount for the recovery credit account ((para) 0046 lines 5-20, (para) 0049 lines 17-25)

In reference to Claim 31:

(newly added) The debt management system of claim 31 (see rejection of claim 31 above), further comprising means for prohibiting credit activity ((para) 0011 lines 7-10) on the recovery credit account until the customer pays the open- to-buy (available credit) amount ((para) 0046 lines 11-20).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5, 13 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pub. No 2002/0123962 A1 by Bryman et al. (Bryman)

In reference to Claim 5:

Bryman teaches:

The method of claim 2 (see rejection of claim 2 above),

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Bryman does not teach:

further comprising charging an over limit fee when the recovery account balance (new account) is over the credit limit only after the recovery credit account balance has been less than the credit limit.

Official Notice is taken that it is a common practice in the industry for financial institution to issue credit cards and to charge over limit fee when a client charges over the approved credit limit on a card. When credit card bills are exceed limits the risk factors on defaults increase. The incentive that is given to discourage such a risk increase is to attach fees to over credit limit charges as well as to defray some of the loss if the client does default on a over limit credit card. It would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized this widely available and common knowledge to have duplicated this particular application of charging over credit limit fees.

In reference to Claim 13

Bryman teaches:

The computer of claim 10 (see rejection of claim 10 above),

Bryman does not teach:

further configured to charge an over limit fee when the recovery account balance (new account) is over the credit limit (available credit) only after the recovery credit account balance has been less than the credit limit

Official Notice is taken that it is a common practice in the industry for financial institution to issue credit cards and to charge over limit fee when a client charges over the approved credit limit on a card. When credit card bills are exceed limits the risk factors on

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defaults increase. The incentive that is given to discourage such a risk increase is to attach fees to over credit limit charges as well as to defray some of the loss if the client does default on a over limit credit card. Bryman does teach of ascertaining maximum credit limits ((para) 0052 lines 2-4, 7-10) and teaches interest and fees ((para) 0011 lines 4-7, (para) 0053 lines 3-4).

Although the teachings of Bryman do not explicitly teach what fees are attached to an account, it would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized this widely available and common knowledge fees charged for the charging over the maximum allowed credit limit fees.

In reference to Claim 21:

Bryman teaches:

The system of claim 18 (see rejection of claim 18 above),

Bryman does not teach:

further comprising means for charging an over limit fee when the recovery account balance (new account) is over the credit limit only after the recovery credit account balance has been less than the credit limit

Official Notice is taken that it is a common practice in the industry for financial institution to issue credit cards and to charge over limit fee when a client charges over the approved credit limit on a card. When credit card bills are exceed limits the risk factors on defaults increase. The incentive that is given to discourage such a risk increase is to attach fees to over credit limit charges as well as to defray some of the loss if the client does default on a over limit credit card.

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Bryman does teach of ascertaining maximum credit limits ((para) 0052 lines 2-4, 7-10) and teaches interest and fees ((para) 0011 lines 4-7, (para) 0053 lines 3-4). Although the teachings of Bryman do not explicitly teach what fees are attached to an account, it would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized this widely available and common knowledge fees charged for the charging over the maximum allowed credit limit fees.

9. Claims 7, 15 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pub. No 2002/0123962 A1 by Bryman et al. (Bryman) and in view of US Patent No. 596698 by Pollin (Pollin).

In reference to Claim 7:

Bryman teaches:

The method of claim 1 (see rejection of claim 1 above),

Bryman does not teach:

further comprising establishing an automatic payment service for payments to the recovery credit account from the customer

Pollin teaches:

further comprising establishing an automatic payment service for payments to the recovery credit account from the customer (Col 8 lines 56-62, Col 9, lines 4-7).

Both Pollin and Bryman teach the collection of payments for debt ((Byman) (para) 0011 lines 1-3, (para) 0022 lines 8-10, (Pollin) Col 2, lines 11-15, Col 3, lines 37-40). Pollin explicitly teaches well known issues for receiving payments which are exacerbated with debt delinquent clients and that a solution for these issues would be to impliment an automatic payment system

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for payment collections ((Pollin) Col 2, lines 17-28). It would have been obvious to one of ordinary skill in the art at the time of the invention for Bryman to include an automatic payment option as taught by Pollin (Col 8 lines 56-62, Col 9, lines 4-7) in its payment options to negate many of the well known problems with other sources of payments as taught by Pollin ((Pollin) Col 2, lines 17-28).

In reference to Claim 15:

Bryman teaches:

The computer of claim 9 (see rejection of claim 9 above),

Bryman does not teach:

further configured to establish an automatic payment service for payments to the recovery credit account from the customer

Pollin teaches:

further configured to establish an automatic payment service for payments to the recovery credit account from the customer (Fig 2, Col 7 lines 22-35)

Both Pollin and Bryman are teach the collection of payments for debt ((Byman) (para) 0011 lines 1-3, (para) 0022 lines 8-10, (Pollin) Col 2, lines 11-15, Col 3, lines 37-40) Pollin explicitly teaches well known issues for receiving payments which are exacerbated with debt delinquent clients and that a solution for these issues would be to impliment an automatic payment system for payment collections ((Pollin) Col 2, lines 17-28). It would have been obvious to one of ordinary skill in the art at the time of the invention for Bryman to include an automatic payment system as taught by Pollin (Col 7 lines 22-35) in its payment options to

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negate many of the well known problems with other sources of payments as taught by Pollin ((Pollin) Col 2, lines 17-28).

In reference to Claim 23:

Bryman teaches:

The system of claim 17 (see rejection of claim 17 above),

Bryman does not teach:

further comprising means for establishing an automatic payment service for payments to the recovery credit account from the customer.

Pollin teaches:

further comprising means for establishing an automatic payment service for payments to the recovery credit account from the customer (Fig 2, Col 7 lines 22-35, Col 8 lines 52-61).

Both Pollin and Bryman are teach the collection of payments for debt ((Byman) (para) 0011 lines 1-3, (para) 0022 lines 8-10, (Pollin) Col 2, lines 11-15, Col 3, lines 37-40). Pollin explicitly teaches well known issues for receiving payments which are exacerbated with debt delinquent clients and that a solution for these issues would be to implement an automatic payment system for payment collections ((Pollin) Col 2, lines 17-28). It would have been obvious to one of ordinary skill in the art at the time of the invention for Bryman to include an automatic payment system as taught by Pollin (Col 7 lines 22-35) in its payment options to negate many of the well known problems with other sources of payments as taught by Pollin ((Pollin) Col 2, lines 17-28).

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10. Claims 8, 16 and 24 rejected under 35 U.S.C. 103(a) as being unpatentable over US Pub.

No 2002/0123962 A1 by Bryman et al. (Bryman) and in view of CuraDebt at

<http://web.archive.org/web/200205302035900/http://www.curadebt.com>.

In reference to Claim 8:

Bryman teaches:

The method of claim 1 (see rejection of claim 1 above), the opening balance of the recovery credit account is a ... with the customer

Bryman does not teach:

wherein the difference between the charged-off credit account balance and... settlement value negotiated

CuraDebt teaches:

wherein the difference between the charged-off credit account balance and... settlement value negotiated ((CuraDebt) (as annotated by examiner, herein referred to as AAE) page 1, sec 2a, page 3, page 5, sec 1)

Both Bryman and CuraDebt are directed toward the collection of delinquent debt and methods for paying that debt ((Bryman) (para) 0004 lines 2-3, (para) 0009 lines 1-3, (CuraDebt) (AAE) page 1, sec 2a, page 3, page 5, sec 1).

Although Bryman does not teach negotiating debt settlements, Bryman's intended use is directed toward a system of repayment on delinquent debt accounts held by the debt holder ((Bryman) (para) 0007 lines 1-2, 12-16, (para) 0008 lines 19-21 (para) 20, (para) 0043 lines 5-10) such as Curadebt.

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Curadebt explicitly teaches debt settlement negotiations (CuraDebt) (AAE) page 1, sec 2a, page 3, page 5, sec 1) and debt repayment ((CuraDebt) (AAE) page 2, sec 2, page 5, sec 3c). It would have been obvious to one of ordinary skill in the art at the time of the invention for the invention as taught by Bryman would whose intended use is directed toward collection of debt payments by companies ((Bryman)(para) 0043 lines 4-7) as in CuraDebt to include the negotiation of settlement of debt as taught by CuraDebt with the repayment options offered by Bryman.

In reference to Claim 16:

Bryman teaches:

The computer of claim 9 (see rejection of claim 9 above), ...the opening balance of the recovery credit account is a ...with the customer

Bryman does not teach:

wherein the difference between the charged-off credit account balance and... settlement value negotiated

CuraDebt teaches:

wherein the difference between the charged-off credit account balance and ...settlement value negotiated ((CuraDebt) (AAE) page 1, sec 2a, page 3, page 5, sec 1)

Both Bryman and CuraDebt are directed toward the collection of delinquent debt and methods for paying that debt ((Bryman) (para) 0004 lines 2-3, (para) 0009 lines 1-3, (CuraDebt) (AAE) page 1, sec 2a, page 3, page 5, sec 1).

Although Bryman does not teach negotiating debt settlements, Bryman's intended use is directed toward a system of repayment on delinquent debt accounts held by the debt holder ((Bryman) (para) 0007 lines 1-2, 12-16, (para) 0008 lines 19-21 (para) 20) such as Curadebt.

Curadebt explicitly teaches debt settlement negotiations (CuraDebt) (AAE) page 1, sec 2a, page 3, page 5, sec 1) and debt repayment ((CuraDebt) (AAE) page 2, sec 2, page 5, sec 3c). It would have been obvious to one of ordinary skill in the art at the time of the invention for the invention as taught by Bryman would whose intended use is directed toward collection of debt payments by companies as in CuraDebt to include the negotiation of settlement of debt as taught by CuraDebt with the repayment options taught by Bryman.

In reference to Claim 24:

Bryman teaches:

The system of claim 17 (see rejection of claim 17 above), ...the opening balance of the recovery credit account is a ...with the customer.

Bryman does not teach:

wherein the difference between the charged-off credit account balance and ...settlement value negotiated

CuraDebt teaches:

wherein the difference between the charged-off credit account balance and ...settlement value negotiated ((CuraDebt) (AAE) page 1, sec 2a, page 3, page 5, sec 1)

Although Bryman does not teach negotiating debt settlements, Bryman's intended use is directed toward a system of repayment on delinquent debt accounts held by the debt holder ((Bryman) (para) 0007 lines 1-2, 12-16, (para) 0008 lines 19-21 (para) 20) such as Curadebt.

CuraDebt explicitly teaches debt settlement negotiations (CuraDebt) (AAE) page 1, sec 2a, page 3, page 5, sec 1) and debt repayment ((CuraDebt) (AAE) page 2, sec 2, page 5, sec 3c). It would have been obvious to one of ordinary skill in the art at the time of the invention for the invention as taught by Bryman would whose intended use is directed toward collection of debt payments by companies as in CuraDebt to include the negotiation of settlement of debt as taught by CuraDebt with the repayment options taught by Bryman.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Pub No 2003/0074290 A1 by Clore is relevant as it teaches management of delinquent financial accounts with various repayment negotiated offers. US Pub No. US 2004/0019560 A1 by Evans et al. is directed toward a system for debt presentment and resolution, whereas US Pub No 2002/0138409 A1 by Bass is directed toward a debt recovery products. Additional prior art to made of record is "The Credit Card Handbook" by Robert Chamness, published by American Bankers Association, Washington DC which teaches finance charges, credit standard and policies of which increasing the credit limit on a paying customer is one policy.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARY M. GREGG whose telephone number is (571)270-5050. The examiner can normally be reached on Monday thru Friday-8:30am-5:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Bomberg can be reached on (571) 272-4922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MMG

/Kenneth Bomberg/

Supervisory Patent Examiner, Art Unit 4124